

Calendar No. 592

118TH CONGRESS
2D SESSION

S. 2867

To address the forest health crisis on the National Forest System and public lands, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2023

Mr. BARRASSO (for himself and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 21, 2024

Reported by Mr. MANCHIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To address the forest health crisis on the National Forest System and public lands, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) ~~SHORT TITLE.~~—This Act may be cited as the
5 “~~Promoting Effective Forest Management Act of 2023~~”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

See. 1. Short title; table of contents.
 See. 2. Definitions.

TITLE I—ACCOMPLISHMENTS OVER RHETORIC

See. 101. Thinning targets.
 See. 102. Annual reports.
 See. 103. Transparency in fire mitigation reporting.
 See. 104. Regional forest carbon accounting.
 See. 105. Targets for wildlife habitat improvement.

TITLE II—FOREST MANAGEMENT

See. 201. Land and resource management plans.
 See. 202. Management of old growth and mature forests.
 See. 203. Assessment of processed-based restoration techniques.
 See. 204. Intervenor status.
 See. 205. Utilizing grazing for wildfire prevention.

TITLE III—WORKFORCE

See. 301. Logging workforce.
 See. 302. Break-in-service consideration for firefighter retirements.
 See. 303. Firefighter rental housing.

TITLE IV—CULTURAL CHANGE IN AGENCIES

See. 401. Mandatory use of existing authorities.
 See. 402. Curtailing employee relocations.
 See. 403. Repeal of FLAME reports.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) NATIONAL FOREST SYSTEM.—

6 (A) IN GENERAL.—The term “National
 7 Forest System” has the meaning given the term
 8 in section 11(a) of the Forest and Rangeland
 9 Renewable Resources Planning Act of 1974 (16
 10 U.S.C. 1609(a)).

11 (B) EXCLUSIONS.—The term “National
 12 Forest System” does not include—

1 (i) any forest reserve not created from
2 the public domain; or

3 (ii) any national grassland or land uti-
4 lization project administered under title III
5 of the Bankhead-Jones Farm Tenant Act
6 (7 U.S.C. 1010 et seq.).

7 (2) PUBLIC LANDS.—

8 (A) IN GENERAL.—Except as provided in
9 subparagraph (B), the term “public lands” has
10 the meaning given the term in section 103 of
11 the Federal Land Policy and Management Act
12 of 1976 (43 U.S.C. 1702).

13 (B) EXCLUSION.—The term “public lands”
14 does not include land governed by the Act of
15 August 28, 1937 (50 Stat. 874, chapter 876;
16 43 U.S.C. 2601 et seq.).

17 (3) SECRETARY CONCERNED.—The term “Sec-
18 retary concerned” means—

19 (A) the Secretary of Agriculture, acting
20 through the Chief of the Forest Service, with
21 respect to National Forest System land; and

22 (B) the Secretary of the Interior, acting
23 through the Director of the Bureau of Land
24 Management, with respect to public lands.

1 **TITLE I—ACCOMPLISHMENTS**
2 **OVER RHETORIC**

3 **SEC. 101. THINNING TARGETS.**

4 (a) **BASELINE.**—For the National Forest System and
5 for public lands, the Secretary concerned shall deter-
6 mine—

7 (1) for each of fiscal years 2017 through 2021,
8 the number of acres mechanically thinned, for acres
9 commercially thinned and for acres pre-commercially
10 thinned; and

11 (2) the average of the numbers described in
12 paragraph (1) over the period of fiscal years 2017
13 through 2021.

14 (b) **ANNUAL TARGETS.**—

15 (1) **IN GENERAL.**—The Secretary concerned
16 shall establish annual mechanical thinning targets
17 for acres commercially thinned and for acres pre-
18 commercially thinned for fiscal year 2024, and annu-
19 ally thereafter, for the National Forest System and
20 for public lands.

21 (2) **REQUIREMENTS.**—

22 (A) **FISCAL YEARS 2024 AND 2025.**—For
23 each of fiscal years 2024 and 2025, the annual
24 mechanical thinning targets established under

1 paragraph (1) shall be not less than the number
2 of acres described in subsection (a)(2).

3 (B) FISCAL YEARS 2026 AND 2027.—For
4 each of fiscal years 2026 and 2027, the annual
5 mechanical thinning targets established under
6 paragraph (1) shall be not less than twice the
7 number of acres described in subsection (a)(2).

8 (C) FISCAL YEAR 2028.—For fiscal year
9 2028 and each fiscal year thereafter, the annual
10 mechanical thinning targets established under
11 paragraph (1) shall be not less than 4 times the
12 number of acres described in subsection (a)(2).

13 (e) REGIONAL ASSIGNMENTS.—Not later than 90
14 days after the date of enactment of this Act, and annually
15 thereafter, the Secretary concerned shall assign annual
16 acreage targets for mechanical thinning on National For-
17 est System land and public lands, categorized by National
18 Forest System region or by State, as appropriate.

19 (d) PUBLICATION.—The Secretary concerned shall
20 make publicly available the data described in subsections
21 (a), (b), and (c), including by publishing that data on the
22 website of the Forest Service and the website of the Bu-
23 reau of Land Management.

1 **SEC. 102. ANNUAL REPORTS.**

2 Not later than January 1, 2024, and annually there-
3 after, the Secretary concerned shall publish on the website
4 of the Forest Service and the website of the Bureau of
5 Land Management the following information with respect
6 to the National Forest System or public lands during the
7 preceding fiscal year:

8 (1) The number of acres treated to meet the re-
9 quirement described in section 40803(b) of the In-
10 frastructure Investment and Jobs Act (16 U.S.C.
11 6592(b)).

12 (2)(A) The number of acres mechanically
13 thinned; and

14 (B) whether the number of acres described in
15 subparagraph (A) met or exceeded the requirements
16 described in section 101(b)(2).

17 (3) Any limitations or challenges, including liti-
18 gation or permitting delays, that hindered the Sec-
19 retary concerned from meeting or exceeding the an-
20 nual target established under section 101(b)(1), if
21 applicable.

22 (4) The number of acres that have undergone
23 a regeneration harvest.

24 (5) The number of acres described in para-
25 graphs (2)(A) and (4) that are in an area identified
26 as having—

1 (A) the expectation that, without remedi-
2 ation, at least 25 percent of standing live basal
3 area greater than 4 inch in diameter may die
4 over a 15-year time frame due to insects and
5 diseases, as depicted on the National Insect and
6 Disease Composite Risk Map; or

7 (B) a very high or high wildfire hazard po-
8 tential.

9 (6) The number of acres described in para-
10 graphs (2)(A) and (4) that use either of the fol-
11 lowing streamlined authorities for environmental re-
12 view:

13 (A) A categorical exclusion.

14 (B) An emergency determination of the
15 Secretary concerned.

16 (7) The number of acres described in para-
17 graphs (2)(A) and (4) that use partners to carry out
18 the work through—

19 (A) a good neighbor agreement;

20 (B) a master stewardship agreement;

21 (C) a contract or agreement entered into
22 under the Tribal Forest Protection Act of 2004
23 (25 U.S.C. 3115a); or

24 (D) a stewardship end-result contract.

1 **SEC. 103. TRANSPARENCY IN FIRE MITIGATION REPORT-**
2 **ING.**

3 (a) **EXCLUSION FROM ANNUAL BUDGET AND PER-**
4 **FORMANCE REPORTS.—**

5 (1) **IN GENERAL.**—The Secretary concerned
6 shall not include in any appropriations request sub-
7 mitted to the President for purposes of preparing
8 the budget of the United States Government under
9 section 1105 of title 31, United States Code, or any
10 annual performance report submitted to Congress
11 any output measures for acres of land on which haz-
12 ardous fuels treatments were conducted if the land
13 needs to be treated more than once—

14 (A) to meet the requirement described in
15 section 40802(b) of the Infrastructure Invest-
16 ment and Jobs Act (16 U.S.C. 6592(b)); or

17 (B) to effectively mitigate wildfire risk.

18 (2) **ANNUAL BUDGET.**—The President shall not
19 include in the budget of the United States Govern-
20 ment submitted to Congress under section 1105 of
21 title 31, United States Code, any output measures
22 described in paragraph (1).

23 (3) **INCLUSIONS.**—Output measures described
24 in paragraph (1) include—

1 (A) acres of hazardous fuels reduction on
2 National Forest System land and adjacent
3 areas to mitigate wildfire risk; and

4 (B) annual acreage treated to reduce or
5 maintain fuel conditions on National Forest
6 System land and non-Federal land.

7 (b) INCLUSION IN ANNUAL BUDGET AND PERFORM-
8 ANCE REPORTS.—

9 (1) IN GENERAL.—The Secretary concerned
10 shall include in an appropriations request submitted
11 to the President for purposes of preparing the budg-
12 et of the United States Government under section
13 1105 of title 31, United States Code, and an annual
14 performance report submitted to Congress—

15 (A) the number of acres of land meeting
16 the requirement described in section 40803(b)
17 of the Infrastructure Investment and Jobs Act
18 (16 U.S.C. 6592(b)); and

19 (B) the annual acreage of National Forest
20 System land where final treatment effectively
21 mitigates wildfire risk.

22 (2) ANNUAL BUDGET.—The President shall in-
23 clude in the budget of the United States Govern-
24 ment submitted to Congress under section 1105 of

1 title 31, United States Code, the information de-
 2 scribed in paragraph (1).

3 **SEC. 104. REGIONAL FOREST CARBON ACCOUNTING.**

4 Not later than January 1, 2025, and every 3 years
 5 thereafter, the Secretary of Agriculture, acting through
 6 the Chief of the Forest Service, shall—

7 (1) using data from the forest inventory and
 8 analysis program, determine the net forest carbon
 9 balance on the land in the National Forest System
 10 of each Forest Service region, including whether the
 11 National Forest System land is—

12 (A) a carbon source; or

13 (B) a carbon sink; and

14 (2) publish the information described in para-
 15 graph (1) on the website of the Forest Service.

16 **SEC. 105. TARGETS FOR WILDLIFE HABITAT IMPROVE-**
 17 **MENT.**

18 (a) IN GENERAL.—To improve wildlife habitat func-
 19 tion on National Forest System land and public lands, not
 20 later than 18 months after the date of enactment of this
 21 Act, the Secretary concerned shall—

22 (1) evaluate the extent to which the specific
 23 management goals and objectives relating to wildlife
 24 habitat in existing land management plans or re-
 25 source management plans, as applicable, have been

1 met through implementation of the applicable land
 2 management plan or resource management plan; and
 3 ~~(2) establish and implement a strategy, includ-~~
 4 ~~ing establishing annual targets, to meet the specific~~
 5 ~~management goals and objectives described in para-~~
 6 ~~graph (1).~~

7 (b) REPORTING.—Beginning in fiscal year 2025, the
 8 Secretary concerned shall annually—

9 (1) establish targets associated with the strat-
 10 egy developed under subsection (a)(2); and

11 ~~(2) submit to the Committee on Energy and~~
 12 ~~Natural Resources of the Senate and the Committee~~
 13 ~~on Natural Resources of the House of Representa-~~
 14 ~~tives a report on the implementation of the strategy~~
 15 ~~developed under subsection (a)(2).~~

16 **TITLE II—FOREST MANAGEMENT**

17 **SEC. 201. LAND AND RESOURCE MANAGEMENT PLANS.**

18 Not later than 180 days after the date of enactment
 19 of this Act, the Comptroller General of the United States
 20 shall submit to the Committee on Energy and Natural Re-
 21 sources of the Senate and the Committee on Natural Re-
 22 sources of the House of Representatives an assessment of
 23 the time period that would be required for the Secretary
 24 of Agriculture, acting through the Chief of the Forest
 25 Service, to address the backlog of land and resource man-

1 agement plans that are noncompliant with section
 2 6(f)(5)(A) of the Forest and Rangeland Renewable Re-
 3 sources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)),
 4 and to come into compliance with that section, if the land
 5 and resource management plans for the units of the Na-
 6 tional Forest System were developed and revised in a man-
 7 ner consistent with the shorter length and development
 8 timelines of the land management plans for the units of
 9 the National Park System.

10 **SEC. 202. MANAGEMENT OF OLD GROWTH AND MATURE**
 11 **FORESTS.**

12 (a) DEFINITION OF OLD GROWTH.—

13 (1) IN GENERAL.—Except as provided in para-
 14 graph (2), the Secretary concerned shall adhere to
 15 the definitions of “old growth forest” contained in
 16 the regulations of the Secretary concerned (as in ef-
 17 fect on January 1, 2022).

18 (2) UPDATES.—If the Secretary concerned de-
 19 termines that a definition of “old growth forest”
 20 contained in a regulation of the Secretary concerned
 21 needs to be revised, the Secretary concerned—

22 (A) shall appoint a committee of scientists
 23 who are not officers or employees of the Forest
 24 Service or the Bureau of Land Management
 25 and have a background in forestry and stand

1 dynamics (referred to in this paragraph as the
2 “committee of scientists”);

3 (B) shall direct the committee of scientists
4 to provide scientific and technical advice and
5 counsel on definitions of “old growth forest”;

6 (C) shall review the recommendations of
7 the committee of scientists;

8 (D) shall publish the recommendations of
9 the committee of scientists for public comment;
10 and

11 (E) may adopt the recommendations of the
12 committee of scientists and revise the definition
13 in a manner consistent with subchapter H of
14 chapter 5, and chapter 7, of title 5, United
15 States Code (commonly known as the “Admin-
16 istrative Procedure Act”).

17 (b) MANAGEMENT OF MATURE TREES.—

18 (1) DEFINITION OF MATURE FOREST.—

19 (A) IN GENERAL.—Consistent with section
20 6(m)(1) of the Forest and Rangeland Renew-
21 able Resources Planning Act of 1974 (16
22 U.S.C. 1604(m)(1)), with respect to National
23 Forest System land and public lands, the Sec-
24 retary concerned shall define the term “mature
25 forest” as a forest that has reached the

1 merchantability standard described in subpara-
2 graph (B).

3 (B) ~~MERCHANTABILITY STANDARD.~~—The
4 merchantability standard referred to in sub-
5 paragraph (A) is when a forest has generally
6 reached the culmination of mean annual incre-
7 ment of growth.

8 (2) ~~MANAGEMENT.~~—Except as provided in see-
9 tion 6(m) of the Forest and Rangeland Renewable
10 Resources Planning Act of 1974 (16 U.S.C.
11 1604(m)), on National Forest System land and pub-
12 lic lands, the Secretary concerned shall only carry
13 out regeneration harvests in mature forests (as de-
14 fined by the Secretary concerned under paragraph
15 (1)).

16 (c) ~~SAVINGS CLAUSE.~~—Any inventory of forests
17 adopted through executive branch action shall not modify,
18 amend, or otherwise change the duties of the Secretary
19 concerned to manage unreserved forests in accordance
20 with, as applicable—

21 (1) the Act of June 4, 1897 (commonly known
22 as the “Organic Administration Act”) (30 Stat. 34,
23 chapter 2);

24 (2) the Multiple-Use Sustained-Yield Act of
25 1960 (16 U.S.C. 528 et seq.);

1 (3) the Forest and Rangeland Renewable Re-
 2 sources Planning Act of 1974 (16 U.S.C. 1600 et
 3 seq.);

4 (4) section 14 of the National Forest Manage-
 5 ment Act of 1976 (16 U.S.C. 472a); and

6 (5) the Federal Land Policy and Management
 7 Act of 1976 (43 U.S.C. 1701 et seq.).

8 **SEC. 203. ASSESSMENT OF PROCESSED-BASED RESTORA-**
 9 **TION TECHNIQUES.**

10 (a) **WETLAND AND RIPARIAN RESTORATION PILOT**
 11 **PROGRAM.—**

12 (1) **IN GENERAL.—**The Secretary of the Inte-
 13 rior, acting through the Director of the United
 14 States Geological Survey, and the Secretary of Agri-
 15 culture, acting through the Chief of the Forest Serv-
 16 ice (referred to in this subsection as the “Secre-
 17 taries”), shall jointly establish a pilot program to
 18 conduct research on and evaluate wetland and ripar-
 19 ian restoration techniques.

20 (2) **ASSESSMENTS.—**In carrying out this sub-
 21 section, the Secretaries shall—

22 (A) assess the benefits, including to down-
 23 stream infrastructure, water storage, and resil-
 24 ience to natural hazards, of process-based river

1 and wetland restoration techniques when car-
2 ried out at larger scales; and

3 (B) make available to the public the results
4 of the assessment described in subparagraph
5 (A).

6 (b) **EXPERIMENTAL FORESTS PILOT PROJECT.**—The
7 Secretary of Agriculture, acting through the Chief of the
8 Forest Service, shall carry out a pilot project on the exper-
9 imental forests and ranges managed by the Forest Service
10 to evaluate biologically driven restoration.

11 **SEC. 204. INTERVENOR STATUS.**

12 (a) **IN GENERAL.**—For purposes of a civil action re-
13 lating to a qualified project described in subsection (b),
14 a unit of local government shall be—

15 (1) entitled to intervene, as of right, in any sub-
16 sequent civil action; and

17 (2) considered to be a full participant in any
18 settlement negotiation relating to the qualified
19 project if the unit of local government intervenes.

20 (b) **DESCRIPTION OF QUALIFIED PROJECT.**—A quali-
21 fied project referred to in subsection (a) is a project that—

22 (1) is located on National Forest System land
23 or public lands;

24 (2) has been approved by the Secretary con-
25 cerned; and

1 ~~(3)(A)~~ reduces the risk posed by wildfire, insect,
2 or disease; or

3 ~~(B)~~ generates revenue from the harvesting of
4 timber.

5 **SEC. 205. UTILIZING GRAZING FOR WILDFIRE PREVENTION.**

6 The Secretary concerned, in coordination with hold-
7 ers of permits to graze livestock on Federal land, shall
8 develop a strategy to increase opportunities to utilize live-
9 stock grazing as a wildfire mitigation strategy, includ-
10 ing—

11 (1) completion of reviews (as required under the
12 National Environmental Policy Act of 1969 (42
13 U.S.C. 4321 et seq.)) to allow permitted grazing on
14 vacant grazing allotments during instances of
15 drought, wildfire, or other natural disasters that dis-
16 rupt grazing on allotments already permitted;

17 (2) use of targeted grazing;

18 ~~(3)~~ increased use of temporary permits to pro-
19 mote targeted fuels reduction and reduction of
20 invasive annual grasses;

21 (4) increased use of grazing as a fire recovery
22 strategy, where appropriate; and

23 (5) use of all applicable authorities under law.

1 **TITLE III—WORKFORCE**

2 **SEC. 301. LOGGING WORKFORCE.**

3 (a) TRAINING.—

4 (1) INTERSTATE TRAINING PROGRAMS.—The
5 Secretary of Agriculture, acting through the Chief of
6 the Forest Service, shall work with States to develop
7 a universal, tiered program to train persons to enter
8 the logging workforce.

9 (2) ON-THE-JOB TRAINING.—The Secretary
10 concerned shall examine potential ways to facilitate
11 apprenticeship training to increase knowledge and
12 skills in an emerging logging workforce.

13 (b) MODERNIZING MACHINERY.—Using funds made
14 available under section 40804(b)(3) of the Infrastructure
15 Investment and Jobs Act (16 U.S.C. 6592a(b)(3)), the
16 Secretary of Agriculture shall provide low-interest loans
17 or loan guarantees to persons, subject to such conditions
18 as the Secretary of Agriculture determines to be nec-
19 essary, for the acquisition of mechanized machinery for
20 the purposes of decreasing injuries in the logging work-
21 force.

22 **SEC. 302. BREAK-IN-SERVICE CONSIDERATION FOR FIRE-**
23 **FIGHTER RETIREMENTS.**

24 Notwithstanding sections 8336(e) and 8412(d) of
25 title 5, United States Code, not later than May 1, 2024,

1 the Secretary concerned, in coordination with the Sec-
 2 retary of Labor, shall promulgate regulations, as nec-
 3 essary, to ensure that a Federal wildland firefighter would
 4 not forfeit previously made contributions or eligibility for
 5 firefighter retirement when the wildland firefighter has a
 6 voluntary break in service of not more than 9 months.

7 **SEC. 303. FIREFIGHTER RENTAL HOUSING.**

8 Notwithstanding OMB Circular No. A-45R, when the
 9 Secretary concerned requires a Federal wildland fire-
 10 fighter to occupy government housing, the Secretary con-
 11 cerned shall not deduct for government housing rent from
 12 the payroll of the wildland firefighter an amount that is
 13 greater than 40 percent of the pre-tax salary of the
 14 wildland firefighter.

15 **TITLE IV—CULTURAL CHANGE**
 16 **IN AGENCIES**

17 **SEC. 401. MANDATORY USE OF EXISTING AUTHORITIES.**

18 Not later than 3 years after the date of enactment
 19 of this Act, with respect to each unit of public lands and
 20 each unit of the National Forest System that contains
 21 land described in section 102(5), the Secretary concerned
 22 shall use not fewer than 1 of the following streamlined
 23 authorities for environmental review:

24 (1) Section 603(a) of the Healthy Forests Res-
 25 toration Act of 2003 (16 U.S.C. 6591b(a)).

1 (2) Section 605(a) of the Healthy Forests Res-
2 toration Act of 2003 (16 U.S.C. 6591d(a)).

3 (3) Section 606(b) of the Healthy Forests Res-
4 toration Act of 2003 (16 U.S.C. 6591e(b)).

5 (4) Section 40806(b) of the Infrastructure In-
6 vestment and Jobs Act (16 U.S.C. 6592b(b)).

7 (5) Section 40807 of the Infrastructure Invest-
8 ment and Jobs Act (16 U.S.C. 6592e).

9 (6) Section 207 of the Wildfire Suppression
10 Funding and Forest Management Activities Act (16
11 U.S.C. 6591e note; Public Law 115–141).

12 **SEC. 402. CURTAILING EMPLOYEE RELOCATIONS.**

13 (a) **IN GENERAL.**—The Secretary of Agriculture, act-
14 ing through the Chief of the Forest Service (referred to
15 in this section as the “Secretary”), shall curtail employee
16 relocations to significantly increase the period of time that
17 each line officer works at a duty station.

18 (b) **LINE OFFICER HIRING ELIGIBILITY.**—To the
19 maximum extent practicable, the Secretary shall solicit ap-
20 plications for line officer positions in a manner that does
21 not limit eligibility for the solicited position to only an ap-
22 plicant who is a current employee of the Forest Service.

23 (c) **LIMITS ON RELOCATION PAYMENTS.**—The Sec-
24 retary shall not reimburse an employee or otherwise pay

1 for expenses relating to a change in duty station in an
2 amount that exceeds \$100,000.

3 (d) **EMPLOYMENT DEVELOPMENT.**—The Secretary
4 shall develop a program to provide incentives for employ-
5 ees to gain experience and skills without relocating (com-
6 monly referred to as “growing in place”).

7 **SEC. 403. REPEAL OF FLAME REPORTS.**

8 Section 502 of the FLAME Act of 2009 (43 U.S.C.
9 1748a) is amended—

10 (1) by striking subsection (h); and

11 (2) by redesignating subsection (i) as subsection
12 (h).

13 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

14 (a) *SHORT TITLE.*—This Act may be cited as the “Pro-
15 moting Effective Forest Management Act of 2024”.

16 (b) *TABLE OF CONTENTS.*—The table of contents for
17 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—ACCOMPLISHMENTS OVER RHETORIC

Sec. 101. Accelerating treatments on Federal land.

Sec. 102. Annual reports.

Sec. 103. Transparency in hazardous fuels reduction activity reporting.

Sec. 104. Regional forest carbon accounting.

Sec. 105. Wildland fire performance metrics.

TITLE II—FOREST MANAGEMENT

Sec. 201. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights-of-way.

Sec. 202. Timber sales on National Forest System land.

Sec. 203. Categorical exclusion for high-priority hazard trees.

Sec. 204. Intervenor status.

Sec. 205. Utilizing grazing for wildfire risk reduction.

TITLE III—WORKFORCE

Sec. 301. Direct hire authority.

Sec. 302. Continuing accrual of service for firefighters.

Sec. 303. Affordable housing for Federal wildland firefighters.

TITLE IV—CULTURAL CHANGE IN AGENCIES

Sec. 401. Mandatory use of existing authorities.

Sec. 402. Public-private wildfire technology deployment and testbed partnership.

Sec. 403. Repeal of FLAME reports.

1 SEC. 2. DEFINITIONS.

2 *In this Act:*

3 (1) *FEDERAL LAND.*—*The term “Federal land”*
4 *means—*

5 (A) *land of the National Forest System; and*

6 (B) *public lands (as defined in section 103*

7 *of the Federal Land Policy and Management Act*

8 *of 1976 (43 U.S.C. 1702)), the surface of which*

9 *is administered by the Secretary of the Interior,*

10 *acting through the Director of the Bureau of*

11 *Land Management.*

12 (2) *HAZARDOUS FUELS REDUCTION ACTIVITY.*—

13 (A) *IN GENERAL.*—*The term “hazardous*

14 *fuels reduction activity” means any vegetation*

15 *management activity to reduce the risk of wild-*

16 *fire, including mechanical treatments and pre-*

17 *scribed burning.*

18 (B) *EXCLUSION.*—*The term “hazardous*

19 *fuels reduction activity” does not include the*

1 *awarding of a contract to conduct any activity*
2 *described in subparagraph (A).*

3 (3) *NATIONAL FOREST SYSTEM.*—

4 (A) *IN GENERAL.*—*The term “National For-*
5 *est System” has the meaning given the term in*
6 *section 11(a) of the Forest and Rangeland Re-*
7 *newable Resources Planning Act of 1974 (16*
8 *U.S.C. 1609(a)).*

9 (B) *EXCLUSION.*—*The term “National For-*
10 *est System” does not include any forest reserve*
11 *not created from the public domain.*

12 (4) *SECRETARY CONCERNED.*—*The term “Sec-*
13 *retary concerned” means—*

14 (A) *the Secretary of Agriculture, acting*
15 *through the Chief of the Forest Service, with re-*
16 *spect to Federal land described in paragraph*
17 *(1)(A); and*

18 (B) *the Secretary of the Interior, acting*
19 *through the Director of the Bureau of Land*
20 *Management, with respect to Federal land de-*
21 *scribed in paragraph (1)(B).*

22 (5) *WILDLAND-URBAN INTERFACE.*—*The term*
23 *“wildland-urban interface” has the meaning given the*
24 *term in section 101 of the Healthy Forests Restora-*
25 *tion Act of 2003 (16 U.S.C. 6511).*

1 **TITLE I—ACCOMPLISHMENTS**
 2 **OVER RHETORIC**

3 **SEC. 101. ACCELERATING TREATMENTS ON FEDERAL LAND.**

4 (a) *BASELINE TREATMENTS FOR FUELS REDUCTION*
 5 *AND FOREST HEALTH.*—*For Federal land, the Secretary*
 6 *concerned shall determine—*

7 (1) *for each of fiscal years 2019 through 2023—*

8 (A) *the number of acres mechanically*
 9 *thinned, for acres commercially thinned and for*
 10 *acres pre-commercially thinned; and*

11 (B) *the number of acres treated by pre-*
 12 *scribed fire; and*

13 (2) *the average of the numbers described in sub-*
 14 *paragraphs (A) and (B) of paragraph (1) over the pe-*
 15 *riod of fiscal years 2019 through 2023.*

16 (b) *ANNUAL GOALS.*—

17 (1) *IN GENERAL.*—*For Federal land for fiscal*
 18 *year 2025 and each fiscal year thereafter, the Sec-*
 19 *retary concerned shall establish annual—*

20 (A) *mechanical thinning goals for acres*
 21 *commercially thinned and for acres pre-commer-*
 22 *cially thinned; and*

23 (B) *prescribed fire goals.*

24 (2) *REQUIREMENTS.*—

1 (A) *FISCAL YEARS 2025 AND 2026.*—For each
2 of fiscal years 2025 and 2026, the goals estab-
3 lished under subparagraphs (A) and (B) of para-
4 graph (1) shall be not less than the number of
5 acres described in subsection (a)(2).

6 (B) *FISCAL YEARS 2027 AND 2028.*—For each
7 of fiscal years 2027 and 2028, the goals estab-
8 lished under subparagraphs (A) and (B) of para-
9 graph (1) shall be not less than 20 percent more
10 than the number of acres described in subsection
11 (a)(2).

12 (C) *FISCAL YEAR 2029 AND SUBSEQUENT*
13 *FISCAL YEARS.*—For fiscal year 2029 and each
14 fiscal year thereafter, the goals established under
15 subparagraphs (A) and (B) of paragraph (1)
16 shall be not less than 40 percent more than the
17 number of acres described in subsection (a)(2).

18 (c) *REGIONAL ALLOTMENTS.*—Not later than 90 days
19 after the date of enactment of this Act, and annually there-
20 after, the Secretary concerned shall assign annual acreage
21 allotments for mechanical thinning and prescribed fire on
22 Federal land, categorized by National Forest System region
23 or by State, as appropriate.

24 (d) *PUBLICATION.*—The Secretary concerned shall
25 make publicly available the data described in subsections

1 (a), (b), and (c), including by publishing that data on the
2 website of the Forest Service and the website of the Bureau
3 of Land Management.

4 (e) SAVINGS PROVISION.—Nothing in this section shall
5 be construed to supersede or conflict with any other provi-
6 sion of law, including—

7 (1) section 40803(b) of the Infrastructure Invest-
8 ment and Jobs Act (16 U.S.C. 6592(b)); and

9 (2) the Wilderness Act (16 U.S.C. 1131 et seq.).

10 (f) APPLICABILITY OF NEPA.—The establishment of
11 annual goals under subsection (b)(1) and the assignment
12 of regional allotments under subsection (c) shall not be sub-
13 ject to the requirements of the National Environmental Pol-
14 icy Act of 1969 (42 U.S.C. 4321 et seq.).

15 **SEC. 102. ANNUAL REPORTS.**

16 Not later than September 30, 2025, and annually
17 thereafter, the Secretary concerned shall publish on a public
18 website of the Forest Service and a public website of the
19 Bureau of Land Management the following information
20 with respect to the Federal land during the preceding fiscal
21 year:

22 (1) The number of acres treated pursuant to sec-
23 tion 40803(b) of the Infrastructure Investment and
24 Jobs Act (16 U.S.C. 6592(b)).

1 (2)(A) *The number of acres mechanically*
2 *thinned;*

3 (B) *the number of acres treated by prescribed*
4 *fire; and*

5 (C) *whether the number of acres described in*
6 *subparagraphs (A) and (B) met or exceeded the acres*
7 *described in section 101(b)(2).*

8 (3) *Any limitations or challenges, including liti-*
9 *gation or delays in the preparation of environmental*
10 *documentation, that hindered the Secretary concerned*
11 *from meeting or exceeding the annual goals estab-*
12 *lished under section 101(b)(1), if applicable.*

13 (4) *The number of acres that have undergone a*
14 *regeneration harvest.*

15 (5) *The number of acres described in subpara-*
16 *graphs (A) and (B) of paragraph (2) and paragraph*
17 *(4) that are in an area identified as having—*

18 (A) *the expectation that, without remedi-*
19 *ation, at least 25 percent of standing live basal*
20 *area greater than 1 inch in diameter may die*
21 *over a 15-year time frame due to insects and dis-*
22 *eases, as depicted on the National Insect and*
23 *Disease Composite Risk Map; or*

24 (B) *a very high or high wildfire hazard po-*
25 *tential.*

1 (6) *The number of acres described in subpara-*
 2 *graphs (A) and (B) of paragraph (2) and paragraph*
 3 *(4) that use either of the following streamlined au-*
 4 *thorities for environmental review:*

5 (A) *A categorical exclusion.*

6 (B) *An emergency action authority of the*
 7 *Secretary concerned.*

8 (7) *The number of acres described in subpara-*
 9 *graphs (A) and (B) of paragraph (2) and paragraph*
 10 *(4) with respect to which partners are used to carry*
 11 *out the work through—*

12 (A) *a good neighbor agreement under sec-*
 13 *tion 8206 of the Agricultural Act of 2014 (16*
 14 *U.S.C. 2113a);*

15 (B) *a master stewardship agreement;*

16 (C) *a contract or agreement entered into*
 17 *under the Tribal Forest Protection Act of 2004*
 18 *(25 U.S.C. 3115a); or*

19 (D) *a stewardship end-result contract.*

20 **SEC. 103. TRANSPARENCY IN HAZARDOUS FUELS REDUC-**
 21 **TION ACTIVITY REPORTING.**

22 (a) *INCLUSION OF HAZARDOUS FUELS REDUCTION*
 23 *REPORT IN MATERIALS SUBMITTED IN SUPPORT OF THE*
 24 *PRESIDENT’S BUDGET.—*

1 (1) *IN GENERAL.*—*The Secretary concerned shall*
2 *include in the materials submitted in support of the*
3 *President’s budget pursuant to section 1105 of title*
4 *31, United States Code, a report describing—*

5 (A) *for each of fiscal years 2025 through*
6 *2030, the number of acres of Federal land on*
7 *which the Secretary concerned carried out haz-*
8 *ardous fuels reduction activities during each of*
9 *the preceding 6 fiscal years, as assessed by the*
10 *Secretary concerned using—*

11 (i) *the methodology of the Secretary*
12 *concerned in effect on the day before the*
13 *date of enactment of this Act; and*

14 (ii) *the methodology described in para-*
15 *graph (2); and*

16 (B) *for fiscal year 2031 and each fiscal year*
17 *thereafter, the number of acres of Federal land*
18 *on which the Secretary concerned carried out*
19 *hazardous fuels reduction activities during each*
20 *of the preceding 6 fiscal years, as assessed by the*
21 *Secretary concerned using the methodology de-*
22 *scribed in paragraph (2).*

23 (2) *REQUIREMENTS.*—*For purposes of the re-*
24 *ports required under paragraph (1), the Secretary*
25 *concerned shall—*

1 (A) *in determining the number of acres of*
2 *Federal land on which the Secretary concerned*
3 *carried out hazardous fuels reduction activities*
4 *during each fiscal year covered by the report—*

5 (i) *record acres of Federal land on*
6 *which hazardous fuels reduction activities*
7 *were completed during each such fiscal year;*
8 *and*

9 (ii) *record each acre described in*
10 *clause (i) once in the report with respect to*
11 *a fiscal year, regardless of whether multiple*
12 *hazardous fuels reduction activities were*
13 *carried out on such acre during such fiscal*
14 *year; and*

15 (B) *with respect to the acres of Federal land*
16 *recorded in the report, include information on—*

17 (i) *which such acres are located in the*
18 *wildland-urban interface;*

19 (ii) *the level of wildfire risk (high,*
20 *moderate, or low) on the first and last day*
21 *of each fiscal year covered by the report;*

22 (iii) *the types of hazardous fuels reduc-*
23 *tion activities completed for such acres, de-*
24 *lineating between whether such activities*
25 *were conducted—*

- 1 (I) in a wildfire managed for re-
2 source benefits; or
3 (II) through a planned project;
4 (iv) the cost per acre of hazardous fuels
5 reduction activities carried out during each
6 fiscal year covered by the report;
7 (v) the region or System unit in which
8 the acres are located; and
9 (vi) the effectiveness of the hazardous
10 fuels reduction activities on reducing the
11 risk of wildfire.

12 (3) *TRANSPARENCY.*—The Secretary concerned
13 shall make each report submitted under paragraph
14 (1) publicly available on the website of the Depart-
15 ment of Agriculture and the Department of the Inte-
16 rior, as applicable.

17 (b) *ACCURATE DATA COLLECTION.*—

18 (1) *IN GENERAL.*—Not later than 90 days after
19 the date of enactment of this Act, the Secretary con-
20 cerned shall implement standardized procedures for
21 tracking data relating to hazardous fuels reduction
22 activities carried out by the Secretary concerned.

23 (2) *ELEMENTS.*—The standardized procedures
24 required under paragraph (1) shall include—

1 (A) regular, standardized data reviews of
2 the accuracy and timely input of data used to
3 track hazardous fuels reduction activities;

4 (B) verification methods that validate
5 whether such data accurately correlates to the
6 hazardous fuels reduction activities carried out
7 by the Secretary concerned;

8 (C) an analysis of the short- and long-term
9 effectiveness of the hazardous fuels reduction ac-
10 tivities on reducing the risk of wildfire; and

11 (D) for hazardous fuels reduction activities
12 that occur partially within the wildland-urban
13 interface, methods to distinguish which acres are
14 located within the wildland-urban interface and
15 which acres are located outside the wildland-
16 urban interface.

17 (3) *REPORT.*—Not later than 14 days after im-
18 plementing the standardized procedures required
19 under paragraph (1), the Secretary concerned shall
20 submit to Congress a report that describes—

21 (A) such standardized procedures; and

22 (B) program and policy recommendations
23 to Congress to address any limitations in track-
24 ing data relating to hazardous fuels reduction
25 activities under this subsection.

1 **SEC. 104. REGIONAL FOREST CARBON ACCOUNTING.**

2 *Not later than September 30, 2025, and every 3 years*
3 *thereafter, the Secretary of Agriculture, acting through the*
4 *Chief of the Forest Service, shall—*

5 *(1) using data from the forest inventory and*
6 *analysis program, determine the net forest carbon bal-*
7 *ance on the land in the National Forest System of*
8 *each Forest Service region, including whether the Na-*
9 *tional Forest System land is—*

10 *(A) a carbon source; or*

11 *(B) a carbon sink; and*

12 *(2) publish the information described in para-*
13 *graph (1) on the website of the Forest Service.*

14 **SEC. 105. WILDLAND FIRE PERFORMANCE METRICS.**

15 *(a) IN GENERAL.—Not later than 18 months after the*
16 *date of enactment of this Act, the Secretary concerned shall*
17 *submit to the committees of Congress described in subsection*
18 *(c) a report on existing key performance indicators and po-*
19 *tential outcome-based performance measures to reduce wild-*
20 *fire risk on Federal land.*

21 *(b) INCLUSIONS.—The report submitted under sub-*
22 *section (a) shall identify solutions to track the implementa-*
23 *tion and effectiveness of hazardous fuels reduction activities*
24 *and forest restoration treatments, including strategies—*

1 (1) to track whether land management activities
2 are reducing wildfire hazards and ways to quantify
3 and track acres in maintenance status;

4 (2) to track place-based and locally led outcomes;

5 (3) to standardize national-level monitoring
6 measures;

7 (4) to quantify catastrophic wildfire risk reduc-
8 tion;

9 (5) to identify modeling and data challenges that
10 are preventing the transition to annual wildfire risk
11 mapping updates; and

12 (6) to integrate advanced technologies or a com-
13 bination of technologies and analyses that will benefit
14 the quality of information reported.

15 (c) *COMMITTEES OF CONGRESS DESCRIBED.*—The
16 committees of Congress referred to in subsection (a) are—

17 (1) the Committee on Energy and Natural Re-
18 sources of the Senate;

19 (2) the Committee on Agriculture, Nutrition, and
20 Forestry of the Senate;

21 (3) the Committee on Natural Resources of the
22 House of Representatives; and

23 (4) the Committee on Agriculture of the House of
24 Representatives.

1 **TITLE II—FOREST MANAGEMENT**

2 **SEC. 201. VEGETATION MANAGEMENT, FACILITY INSPEC-**
 3 **TION, AND OPERATION AND MAINTENANCE**
 4 **RELATING TO ELECTRIC TRANSMISSION AND**
 5 **DISTRIBUTION FACILITY RIGHTS-OF-WAY.**

6 (a) *HAZARD TREES WITHIN 50 FEET OF ELECTRIC*
 7 *POWER LINE.*—Section 512(a)(1)(B)(ii) of the Federal
 8 *Land Policy and Management Act of 1976 (43 U.S.C.*
 9 *1772(a)(1)(B)(ii)) is amended by striking “10” and insert-*
 10 *ing “50”.*

11 (b) *PERMITS AND AGREEMENTS WITH OWNERS AND*
 12 *OPERATORS OF ELECTRIC TRANSMISSION OR DISTRIBUTION*
 13 *FACILITIES.*—Section 512 of the Federal Land Policy
 14 *and Management Act of 1976 (43 U.S.C. 1772) is amend-*
 15 *ed—*

16 (1) *in the section heading, by striking*
 17 *“MANAGEMENT” and inserting “MANAGEMENT”;*

18 (2) *by redesignating subsections (j) and (k) as*
 19 *subsections (k) and (l), respectively; and*

20 (3) *by inserting after subsection (i) the following:*

21 *“(j) PERMITS AND AGREEMENTS WITH OWNERS AND*
 22 *OPERATORS OF ELECTRIC TRANSMISSION OR DISTRIBUTION*
 23 *FACILITIES.—*

24 *“(1) IN GENERAL.—In any special use permit or*
 25 *easement on National Forest System or Bureau of*

1 *Land Management land provided to the owner or op-*
2 *erator of an electric transmission or distribution fa-*
3 *ility, the Secretary concerned may provide permis-*
4 *sion to cut and remove trees or other vegetation from*
5 *within the vicinity of the electric transmission or dis-*
6 *tribution facility without requiring a separate timber*
7 *sale, if that cutting and removal is consistent with—*

8 *“(A) the applicable plan;*

9 *“(B) the applicable land and resource man-*
10 *agement plan or land use plan; and*

11 *“(C) other applicable environmental laws*
12 *(including regulations).*

13 *“(2) USE OF PROCEEDS.—A special use permit*
14 *or easement that includes permission for cutting and*
15 *removal described in paragraph (1) shall include a*
16 *requirement that, if the owner or operator of the elec-*
17 *tric transmission or distribution facility sells any*
18 *portion of the material removed under the permit or*
19 *easement, the owner or operator shall provide to the*
20 *Secretary concerned any proceeds received from the*
21 *sale, less any transportation costs incurred in the*
22 *sale.*

23 *“(3) EFFECT.—Nothing in paragraph (2) shall*
24 *require the sale of any material removed under a per-*

1 *mit or easement that includes permission for cutting*
 2 *and removal described in paragraph (1).”.*

3 **SEC. 202. TIMBER SALES ON NATIONAL FOREST SYSTEM**
 4 **LAND.**

5 *Section 14(d) of the National Forest Management Act*
 6 *of 1976 (16 U.S.C. 472a(d)) is amended, in the first sen-*
 7 *tence, by striking “\$10,000” and inserting “\$55,000”.*

8 **SEC. 203. CATEGORICAL EXCLUSION FOR HIGH-PRIORITY**
 9 **HAZARD TREES.**

10 *(a) DEFINITIONS.—In this section:*

11 *(1) HIGH-PRIORITY HAZARD TREE.—The term*
 12 *“high-priority hazard tree” means a standing tree*
 13 *that—*

14 *(A) presents a visible hazard to people or*
 15 *Federal property due to conditions such as dete-*
 16 *rioration of or damage to the root system, trunk,*
 17 *stem, or limbs of the tree, or the direction or lean*
 18 *of the tree, as determined by the Secretary;*

19 *(B) is determined by the Secretary to be*
 20 *highly likely to fail and, if it failed, would be*
 21 *highly likely to cause injury to people or damage*
 22 *to Federal property; and*

23 *(C) is—*

1 (i) *within 300 feet of a National Forest*
2 *System road with a maintenance level of 3,*
3 *4, or 5;*

4 (ii) *along a National Forest System*
5 *trail; or*

6 (iii) *in a developed recreation site on*
7 *National Forest System land that is oper-*
8 *ated and maintained by the Secretary.*

9 (2) *HIGH-PRIORITY HAZARD TREE ACTIVITY.—*

10 (A) *IN GENERAL.—The term “high-priority*
11 *hazard tree activity” means a forest manage-*
12 *ment activity that mitigates the risks associated*
13 *with high-priority hazard trees, which may in-*
14 *clude pruning, felling, and disposal of those*
15 *high-priority hazard trees.*

16 (B) *EXCLUSIONS.—The term “high-priority*
17 *hazard tree activity” does not include—*

18 (i) *any activity conducted in a wilder-*
19 *ness area or wilderness study area;*

20 (ii) *any activity for the construction of*
21 *a permanent road or permanent trail;*

22 (iii) *any activity conducted on Federal*
23 *land on which, by Act of Congress or Presi-*
24 *dential proclamation, the removal of vegeta-*
25 *tion is restricted or prohibited;*

1 (iv) any activity conducted in an area
 2 in which activities described in subpara-
 3 graph (A) would be inconsistent with the
 4 applicable land and resource management
 5 plan; or

6 (v) any activity conducted in an
 7 inventoried roadless area.

8 (3) *SECRETARY*.—The term “Secretary” means
 9 the Secretary of Agriculture.

10 (b) *CATEGORICAL EXCLUSION*.—

11 (1) *IN GENERAL*.—Not later than 1 year after
 12 the date of enactment of this Act, the Secretary shall
 13 develop a categorical exclusion (as defined in 111 of
 14 the National Environmental Policy Act of 1969 (42
 15 U.S.C. 4336e)) for high-priority hazard tree activi-
 16 ties.

17 (2) *ADMINISTRATION*.—In developing and ad-
 18 ministering the categorical exclusion under para-
 19 graph (1), the Secretary shall—

20 (A) comply with the National Environ-
 21 mental Policy Act of 1969 (42 U.S.C. 4321 et
 22 seq.); and

23 (B) apply the extraordinary circumstances
 24 procedures under section 220.6 of title 36, Code
 25 of Federal Regulations (or successor regulations),

1 *in determining whether to use the categorical ex-*
2 *clusion.*

3 (3) *PROJECT SIZE LIMITATION.*—*A project car-*
4 *ried out using the categorical exclusion developed*
5 *under paragraph (1) may not exceed 3,000 acres.*

6 **SEC. 204. INTERVENOR STATUS.**

7 (a) *IN GENERAL.*—*For purposes of a civil action relat-*
8 *ing to a qualified project described in subsection (b), a unit*
9 *of local government or an Indian Tribe shall be—*

10 (1) *entitled to intervene, as of right, in any sub-*
11 *sequent civil action; and*

12 (2) *considered to be a full participant in any*
13 *settlement negotiation relating to the qualified project*
14 *if the unit of local government or Indian Tribe, as*
15 *applicable, intervenes.*

16 (b) *DESCRIPTION OF QUALIFIED PROJECT.*—*A quali-*
17 *fied project referred to in subsection (a) is a project that—*

18 (1) *is located on Federal land adjacent, or with*
19 *sufficient minimum contacts, as determined by the*
20 *Secretary concerned, to the land under the jurisdic-*
21 *tion of the unit of local government or Indian Tribe,*
22 *as applicable;*

23 (2) *has been approved by the Secretary con-*
24 *cerned; and*

1 (3)(A) reduces the risk posed by wildfire, insect,
2 or disease; or

3 (B) generates revenue from the harvesting of tim-
4 ber.

5 **SEC. 205. UTILIZING GRAZING FOR WILDFIRE RISK REDUC-**
6 **TION.**

7 (a) *IN GENERAL.*—Not later than 18 months after the
8 date of enactment of this Act, the Secretary concerned shall
9 develop and submit to the Committee on Energy and Nat-
10 ural Resources of the Senate and the Committee on Natural
11 Resources of the House of Representatives a strategy to ana-
12 lyze and identify opportunities to use livestock grazing as
13 a wildfire risk reduction tool on Federal land, consistent
14 with the laws applicable to the Secretary concerned.

15 (b) *INCLUSIONS.*—The strategy developed under sub-
16 section (a) shall include an analysis of—

17 (1) *opportunities—*

18 (A) to increase the use of any authorities
19 applicable to livestock grazing, including modi-
20 fications to grazing permits or leases to allow
21 variances;

22 (B) to use targeted grazing to reduce haz-
23 ardous fuels;

24 (C) to integrate advanced technologies to
25 dynamically adjust livestock placement;

1 (D) to increase the use of livestock grazing
 2 to eradicate invasive annual grasses and as a
 3 post-fire restoration and recovery strategy, as
 4 appropriate; and

5 (E) to facilitate and expedite the temporary
 6 use of vacant allotments during extreme weather
 7 events or natural disasters; and

8 (2) any other opportunities determined to be ap-
 9 propriate by the Secretary concerned.

10 (c) *EFFECT ON EXISTING GRAZING PROGRAMS.*—

11 *Nothing in this section affects—*

12 (1) any livestock grazing program carried out by
 13 the Secretary concerned as of the date of enactment
 14 of this Act; or

15 (2) any statutory authority for any program de-
 16 scribed in paragraph (1).

17 **TITLE III—WORKFORCE**

18 **SEC. 301. DIRECT HIRE AUTHORITY.**

19 *For fiscal year 2025 and each fiscal year thereafter,*
 20 *the Secretary concerned may appoint, without regard to the*
 21 *provisions of subchapter I of chapter 33 of title 5, United*
 22 *States Code, other than sections 3303 and 3328 of that title,*
 23 *a Job Corps graduate (as defined in section 142(5) of the*
 24 *Workforce Innovation and Opportunity Act (29 U.S.C.*
 25 *3192(5))) directly to a position for which the graduate*

1 *meets Office of Personnel Management qualification stand-*
 2 *ards.*

3 **SEC. 302. CONTINUING ACCRUAL OF SERVICE FOR FIRE-**
 4 **FIGHTERS.**

5 (a) *FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—*
 6 *Section 8401(14) of title 5, United States Code, is amended*
 7 *to read as follows:*

8 “(14) the term ‘firefighter’ means—

9 “(A) an employee, the duties of whose posi-
 10 tion—

11 “(i) are primarily to perform work di-
 12 rectly connected with the control and extin-
 13 quishment of non-wildland fires; and

14 “(ii) are sufficiently rigorous that em-
 15 ployment opportunities should be limited to
 16 young and physically vigorous individuals,
 17 as determined by the Director considering
 18 the recommendations of the employing agen-
 19 cy;

20 “(B) an employee, the duties of whose posi-
 21 tion—

22 “(i) are primarily to perform work di-
 23 rectly connected with the control and extin-
 24 quishment of wildland fires; and

1 “(i) are sufficiently rigorous that em-
2 ployment opportunities should be limited to
3 young and physically vigorous individuals,
4 as determined by the Director considering
5 the recommendations of the employing agen-
6 cy;

7 “(C) an employee who—

8 “(i) is transferred directly to a super-
9 visory or administrative position after per-
10 forming duties described in subparagraph
11 (A) for at least 3 years; and

12 “(ii) while serving in such supervisory
13 or administrative position, has no break in
14 service; or

15 “(D) an employee who—

16 “(i) occupies a supervisory or adminis-
17 trative position after performing duties de-
18 scribed in subparagraph (B) for not less
19 than 3 years; and

20 “(ii) has not more than 24 months in
21 total time of breaks in service;”.

22 (b) SERVICE BEFORE DATE OF ENACTMENT.—

23 (1) IN GENERAL.—Subject to the requirements
24 under paragraph (2), service performed before the
25 date of enactment of this Act by an individual who,

1 *on the date of enactment of this Act, is an employee*
2 *(as defined in section 8401(11) of title 5, United*
3 *States Code) shall, for the purposes of chapter 84 of*
4 *title 5, United States Code, be treated as service per-*
5 *formed by a firefighter if—*

6 *(A) such service was performed during the*
7 *period beginning on October 1, 2003, and ending*
8 *on the day before the date of enactment of this*
9 *Act;*

10 *(B) at the time of performing such service—*

11 *(i) the individual did not meet the re-*
12 *quirements to be a firefighter under section*
13 *8401(14) of title 5, United States Code, be-*
14 *cause of a break in service; and*

15 *(ii) would have met the requirements*
16 *to be a firefighter under section 8401(14)(D)*
17 *of title 5, United States Code, as amended*
18 *by this Act; and*

19 *(C) appropriate deductions and*
20 *withholdings under sections 8422 and 8423 of*
21 *title 5, United States Code, were made during*
22 *such service.*

23 *(2) CREDIT FOR SERVICE.—To receive credit for*
24 *eligible service under paragraph (1), the applicable*
25 *individual shall—*

1 (A) before the date on which the individual
2 separates from service in the agency in which the
3 individual holds a position on the date of enact-
4 ment of this Act, submit a written election to the
5 agency employing the individual;

6 (B) if the individual is not employed by the
7 agency that employed the individual when the
8 service described in paragraph (1) was per-
9 formed, submit a written election to such agency;
10 and

11 (C) remit to the agency that employed the
12 individual when such service was performed the
13 additional amount that would have been de-
14 ducted during the period of prior service under
15 section 8422 of title 5, United States Code, from
16 the pay of the individual if the amendments
17 made by subsection (a) had been in effect during
18 the prior service, plus any applicable interest
19 computed under section 8334(e) of title 5, United
20 States Code.

21 (3) *GOVERNMENT CONTRIBUTIONS.*—If an indi-
22 vidual remits payment under paragraph (2)(C) with
23 respect to service described in paragraph (1), the
24 agency that employed the individual when such serv-
25 ice was performed shall remit to the Office of Per-

1 *sonnel Management (for deposit in the Treasury of*
2 *the United States to the credit of the Civil Service Re-*
3 *irement and Disability Fund) the total additional*
4 *amount of Federal contributions that would have been*
5 *paid under section 8423 of title 5, United States*
6 *Code, if the amendments made by subsection (a) had*
7 *been in effect during the prior service, plus any ap-*
8 *plicable interest computed in accordance with section*
9 *8334(e) of title 5, United States Code.*

10 (4) *NOTIFICATION AND ASSISTANCE REQUIRE-*
11 *MENTS.—The Director of the Office of Personnel Man-*
12 *agement shall—*

13 (A) *take such action as may be necessary*
14 *and appropriate to inform individuals entitled*
15 *to have any service credited under this sub-*
16 *section, or to have any annuity computed under*
17 *this subsection, of the entitlement to the credit or*
18 *computation; and*

19 (B) *upon request, assist any individual de-*
20 *scribed in subparagraph (A) in obtaining such*
21 *information in the possession of the Secretary of*
22 *Agriculture or the Secretary of the Interior, as*
23 *applicable, as may be necessary to verify the en-*
24 *titlement of the individual to have any service*

1 *credited, or to have any annuity computed, pur-*
 2 *suant to this subsection.*

3 (5) *RULE OF CONSTRUCTION.*—*Nothing in this*
 4 *section shall be construed to permit or require the*
 5 *making of any contribution to the Thrift Savings*
 6 *Fund that would not otherwise have been permitted or*
 7 *required but for the enactment of this section.*

8 **SEC. 303. AFFORDABLE HOUSING FOR FEDERAL WILDLAND**
 9 **FIREFIGHTERS.**

10 (a) *DEFINITIONS.*—*In this section, the terms “agency”*
 11 *and “quarters” have the meanings given the terms in sec-*
 12 *tion 5911(a) of title 5, United States Code.*

13 (b) *MODERNIZING RENTAL REGULATIONS FOR FED-*
 14 *ERAL HOUSING.*—*Section 5911 of title 5, United States*
 15 *Code, is amended—*

16 (1) *in subsection (f), by inserting after the first*
 17 *sentence the following: “In prescribing regulations*
 18 *under the previous sentence defining a dormitory*
 19 *(also known as a ‘bunkhouse’ or ‘barracks’) in rela-*
 20 *tion to other forms of quarters, the President shall do*
 21 *so based on the square footage and intended number*
 22 *of residents of the quarters and shall discount the*
 23 *square footage of any area devoted to official use.”;*
 24 *and*

25 (2) *by adding at the end the following:*

1 “(i) The head of each agency shall, to the maximum
2 extent practicable, maintain quarters under the jurisdiction
3 of that agency that are rented by an employee in a safe
4 and sanitary condition.

5 “(j) For any quarters rented by an employee that expe-
6 rience a loss in available facilities—

7 “(1) the head of the agency that owns or leases
8 the quarters shall attempt to repair or replace those
9 facilities as soon as practicable; and

10 “(2) the rental payments paid by the employee
11 renting the quarters shall be immediately discounted
12 commensurate to that loss in facilities.

13 “(k) Notwithstanding section 5536, for any quarters
14 that become uninhabitable due to a loss of facilities or other
15 emergency circumstance, the head of the agency that owns
16 or leases the quarters may provide alternative quarters and
17 assess a rental rate not greater than the rate of the inhabit-
18 able quarters for a period of not longer than 28 days.

19 “(l) Notwithstanding section 5536, the head of an
20 agency may rent quarters owned or leased by that agency
21 to an employee at a rate corresponding to full occupancy
22 of those quarters, without regard to whether the quarters
23 are fully occupied.

24 “(m) If quarters are not fully occupied by employees
25 at any point during a period of more than 1 year, the head

1 *of the agency that owns or leases the quarters may, subject*
2 *to the approval of the Director of the Office of Management*
3 *and Budget, reduce the rental rate charged to an employee*
4 *for those quarters by not more than 5 percent.”.*

5 *(c) ACCURATE RENTAL RATES FOR HOUSING.—*

6 *(1) ACCURACY ASSESSMENT OF RENT FOR RE-*
7 *MOTE HOUSING.—Not later than 120 days after the*
8 *date of enactment of this Act, the Comptroller General*
9 *of the United States shall initiate a study of the de-*
10 *termination of rental rates for quarters owned or*
11 *leased by agencies that are—*

12 *(A) subject to a reduction in rental rates*
13 *due to the remoteness of the quarters under the*
14 *regulations promulgated under Circular A–45R*
15 *of the Office of Management and Budget, as re-*
16 *vised on November 25, 2019 (referred to in this*
17 *subsection as “Circular A–45R”); or*

18 *(B) located in an area that receives a dif-*
19 *ferent locality-comparability payment under sec-*
20 *tion 5304 or 5304a of title 5, United States*
21 *Code, than the nearest established community for*
22 *those quarters, as determined under the regula-*
23 *tions promulgated under Circular A–45R.*

1 (2) *ANALYSIS.*—*In conducting the study required*
2 *under paragraph (1), the Comptroller General of the*
3 *United States shall analyze—*

4 (A) *the extent to which rental rates for the*
5 *quarters accurately reflect similar units offered*
6 *for rent in local housing markets or housing*
7 *markets of the nearest established community;*

8 (B) *the accuracy of rental rate adjustments*
9 *relating to the remoteness of the quarters in mak-*
10 *ing rental rates more reflective of rates in the*
11 *local housing market, especially for any housing*
12 *that can only be accessed through methods other*
13 *than on a paved road; and*

14 (C) *whether the maximum allowable remote-*
15 *ness adjustment of 60 percent from similar units*
16 *in the nearest established community is sufficient*
17 *in cases of extremely remote housing to accu-*
18 *rately reflect local housing markets.*

19 (3) *CONSULTATION.*—*In conducting the study re-*
20 *quired under paragraph (1) or the analysis required*
21 *under paragraph (2), the Comptroller General of the*
22 *United States may consult with—*

23 (A) *the National Housing Council described*
24 *in Circular A-45R;*

1 (B) *the Director of the Office of Manage-*
2 *ment and Budget;*

3 (C) *the Secretary of Agriculture;*

4 (D) *the Secretary of the Interior; or*

5 (E) *any other agency that owns or leases*
6 *quarters.*

7 (4) *REMEDIALTION.—*

8 (A) *IN GENERAL.—Not later than 180 days*
9 *after the completion of the study required under*
10 *paragraph (2), the Director of the Office of Man-*
11 *agement and Budget shall review the regulations*
12 *promulgated under Circular A-45R and, if nec-*
13 *essary, revise the regulations to remedy, to the*
14 *maximum extent practicable, any discrepancies*
15 *between established rental rates for quarters and*
16 *the market rate for those quarters.*

17 (B) *FACTORS FOR CONSIDERATION.—The*
18 *Director of the Office of Management and Budg-*
19 *et, in completing any review or revision under*
20 *subparagraph (A), shall consider the best avail-*
21 *able evidence, including the survey and analysis*
22 *by the Comptroller General of the United States*
23 *under paragraphs (1) and (2), respectively.*

24 (C) *NONAPPLICATION.—The requirement*
25 *under subparagraph (A) to revise regulations*

1 *promulgated under Circular A-45R shall not*
 2 *apply if the Director of the Office of Manage-*
 3 *ment and Budget certifies that remedying the*
 4 *discrepancies described in subparagraph (A)*
 5 *would result in increased rental rates, on aver-*
 6 *age, for quarters.*

7 *(d) AFFORDABILITY OF HOUSING FOR WILDLAND*
 8 *FIREFIGHTERS.—*

9 *(1) REPORTING ON EXPENSIVE FIREFIGHTER*
 10 *HOUSING.—Not later than 180 days after the date of*
 11 *the revision of regulations under subsection (c)(4)(A),*
 12 *or the certification under section (c)(4)(C), the Sec-*
 13 *retary of Agriculture and the Secretary of the Interior*
 14 *shall prepare a report that establishes a list of any*
 15 *quarters owned or leased by that Secretary that—*

16 *(A) as of the date on which the report is*
 17 *prepared, are rented, or are intended for rent,*
 18 *primarily by a wildland firefighter; and*

19 *(B) have a rental cost that exceeds 30 per-*
 20 *cent of—*

21 *(i) the rate of basic pay for that*
 22 *wildland firefighter, or any special rate of*
 23 *basic pay established for that wildland fire-*
 24 *fighter, plus any locality-based com-*

1 *parability payment under section 5304 or*
2 *5304a of title 5, United States Code; or*

3 *(ii) for a prevailing rate employee de-*
4 *scribed in section 5342(a)(2)(A) of that title*
5 *in a position for which the duties of the po-*
6 *sition relate primarily to wildland fires, the*
7 *wage rate of that employee.*

8 (2) *REMEDIATION.*—*For any quarters included*
9 *on the list required under paragraph (1), the Sec-*
10 *retary of Agriculture or the Secretary of the Interior,*
11 *as applicable, shall prepare a plan to reduce the rent-*
12 *al costs for those quarters, including by—*

13 (A) *reducing the rental costs for such hous-*
14 *ing under the authority provided in subsection*
15 *(m) of section 5911 of title 5, United States*
16 *Code, as added by this section;*

17 (B) *using the authorities provided by—*

18 (i) *section 8623 of the Agriculture Im-*
19 *provement Act of 2018 (16 U.S.C. 580d*
20 *note; Public Law 115–334);*

21 (ii) *subchapter III of chapter 1013 of*
22 *title 54, United States Code; or*

23 (iii) *section 7 of the Fish and Wildlife*
24 *Act of 1956 (16 U.S.C. 742f); or*

1 (C) other applicable authorities to construct
2 or lease housing.

3 (3) *TEMPORARY REMEDIATION.*—

4 (A) *TIME TABLE REQUIRED.*—Each remedi-
5 ation plan prepared under paragraph (2) shall
6 include a timeline for implementing the plan.

7 (B) *RENTAL CAP.*—Notwithstanding the re-
8 quirements of section 5536 of title 5, United
9 States Code, the Secretary of Agriculture or Sec-
10 retary of the Interior, as applicable, may estab-
11 lish a cap on rental costs for a wildland fire-
12 fighter or prevailing rate employee in a position
13 for which the duties of the position relate pri-
14 marily to wildland fires that inhabits quarters
15 subject to a remediation plan under paragraph
16 (2), which shall be not more than 30 percent
17 of—

18 (i) the rate of basic pay for that
19 wildland firefighter, or any special rate of
20 basic pay established for that wildland fire-
21 fighter, plus any locality-based com-
22 parability payment under section 5304 or
23 5304a of that title; or

24 (ii) for a prevailing rate employee de-
25 scribed in section 5342(a)(2)(A) of title 5,

1 *United States Code, the wage rate of that*
2 *employee.*

3 (C) *RENTAL CAP DURATION.*—*The duration*
4 *of any rental cap imposed under subparagraph*
5 *(B) shall not exceed the timetable identified*
6 *under subparagraph (A) for implementation of*
7 *the applicable remediation plan prepared under*
8 *paragraph (2).*

9 (D) *RENTAL CAP RENEWAL.*—*A rental cap,*
10 *the duration of which has expired under sub-*
11 *paragraph (C) because of implementation delays*
12 *for the applicable remediation plan prepared*
13 *under paragraph (2), may be renewed for peri-*
14 *ods of not longer than 2 years, if the Secretary*
15 *of Agriculture or the Secretary of the Interior, as*
16 *applicable, submits an explanation of the reason*
17 *for the implementation delays to—*

18 (i) *the Committee on Energy and Nat-*
19 *ural Resources of the Senate;*

20 (ii) *the Committee on Agriculture, Nu-*
21 *trition, and Forestry of the Senate;*

22 (iii) *the Committee on Homeland Se-*
23 *curity and Governmental Affairs of the Sen-*
24 *ate;*

1 (iv) the Committee on Appropriations
2 of the Senate;

3 (v) the Committee on Natural Re-
4 sources of the House of Representatives;

5 (vi) the Committee on Agriculture of
6 the House of Representatives;

7 (vii) the Committee on Oversight and
8 Accountability of the House of Representa-
9 tives; and

10 (viii) the Committee on Appropria-
11 tions of the House of Representatives.

12 **TITLE IV—CULTURAL CHANGE**
13 **IN AGENCIES**

14 **SEC. 401. MANDATORY USE OF EXISTING AUTHORITIES.**

15 *Not later than 3 years after the date of enactment of*
16 *this Act, with respect to each unit of Federal land that con-*
17 *tains land described in section 102(5), the Secretary con-*
18 *cerned shall use not fewer than 1 of the following stream-*
19 *lined authorities for environmental review:*

20 (1) *Section 603(a) of the Healthy Forests Res-*
21 *toration Act of 2003 (16 U.S.C. 6591b(a)).*

22 (2) *Section 605(a) of the Healthy Forests Res-*
23 *toration Act of 2003 (16 U.S.C. 6591d(a)).*

24 (3) *Section 606(b) of the Healthy Forests Res-*
25 *toration Act of 2003 (16 U.S.C. 6591e(b)).*

1 (4) *Section 40806(b) of the Infrastructure Invest-*
 2 *ment and Jobs Act (16 U.S.C. 6592b(b)).*

3 (5) *Section 40807 of the Infrastructure Invest-*
 4 *ment and Jobs Act (16 U.S.C. 6592c).*

5 (6) *Section 207 of the Wildfire Suppression*
 6 *Funding and Forest Management Activities Act (16*
 7 *U.S.C. 6591c note; Public Law 115–141).*

8 **SEC. 402. PUBLIC-PRIVATE WILDFIRE TECHNOLOGY DE-**
 9 **PLOYMENT AND TESTBED PARTNERSHIP.**

10 (a) *DEFINITIONS.—In this section:*

11 (1) *APPROPRIATE COMMITTEES.—The term “ap-*
 12 *propriate committees” means—*

13 (A) *the Committees on Agriculture, Nutri-*
 14 *tion, and Forestry, Energy and Natural Re-*
 15 *sources, and Commerce, Science, and Transpor-*
 16 *tation of the Senate; and*

17 (B) *the Committees on Agriculture, Natural*
 18 *Resources, and Science, Space, and Technology*
 19 *of the House of Representatives.*

20 (2) *COVERED AGENCY.—The term “covered agen-*
 21 *cy” means—*

22 (A) *each Federal land management agency*
 23 *(as defined in section 802 of the Federal Lands*
 24 *Recreation Enhancement Act (16 U.S.C. 6801));*

25 (B) *the Department of Defense;*

1 (C) the National Oceanic and Atmospheric
2 Administration;

3 (D) the United States Fire Administration;

4 (E) the Federal Emergency Management
5 Agency;

6 (F) the National Aeronautics and Space
7 Administration;

8 (G) the Bureau of Indian Affairs; and

9 (H) any other Federal agency involved in
10 wildfire response.

11 (3) COVERED ENTITY.—The term “covered enti-
12 ty” means—

13 (A) a private entity;

14 (B) a nonprofit organization; and

15 (C) an institution of higher education (as
16 defined in section 101 of the Higher Education
17 Act of 1965 (20 U.S.C. 1001)).

18 (4) PILOT PROGRAM.—The term “Pilot Pro-
19 gram” means the deployment and testbed pilot pro-
20 gram established under subsection (b).

21 (5) SECRETARIES.—The term “Secretaries”
22 means the Secretary of Agriculture and the Secretary
23 of the Interior, acting jointly.

24 (b) ESTABLISHMENT.—Not later than 60 days after
25 the date of enactment of this Act, the Secretaries, in coordi-

1 *nation with the heads of the covered agencies, shall establish*
2 *a deployment and testbed pilot program for new and inno-*
3 *vative wildfire prevention, detection, communication, and*
4 *mitigation technologies.*

5 *(c) FUNCTIONS.—In carrying out the Pilot Program,*
6 *the Secretaries shall—*

7 *(1) incorporate the Pilot Program into an exist-*
8 *ing interagency coordinating group on wildfires;*

9 *(2) in consultation with the heads of covered*
10 *agencies, identify key technology priority areas with*
11 *respect to the deployment of wildfire prevention, de-*
12 *tection, communication, and mitigation technologies,*
13 *including—*

14 *(A) hazardous fuels reduction activities or*
15 *treatments;*

16 *(B) dispatch communications;*

17 *(C) remote sensing and tracking;*

18 *(D) safety equipment; and*

19 *(E) common operating pictures or oper-*
20 *ational dashboards; and*

21 *(3) connect each covered entity selected to par-*
22 *ticipate in the Pilot Program with the appropriate*
23 *covered agency to coordinate real-time and on-the-*
24 *ground testing of technology during wildland fire*
25 *mitigation activities and training.*

1 (d) *APPLICATIONS.*—*To participate in the Pilot Pro-*
2 *gram, a covered entity shall submit to the Secretaries an*
3 *application at such time, in such manner, and containing*
4 *such information as the Secretaries may require, which*
5 *shall include a proposal to test technologies specific to key*
6 *technology priority areas identified under subsection (c)(2).*

7 (e) *PRIORITIZATION OF EMERGING TECHNOLOGIES.*—
8 *In selecting covered entities to participate in the Pilot Pro-*
9 *gram, the Secretaries shall give priority to covered entities*
10 *developing and applying emerging technologies that address*
11 *issues identified by the Secretaries, including artificial in-*
12 *telligence, quantum sensing, computing and quantum-hy-*
13 *brid applications, augmented reality, and 5G private net-*
14 *works and device-to-device communications supporting no-*
15 *madic mesh networks, for wildfire mitigation.*

16 (f) *OUTREACH.*—*The Secretaries, in coordination with*
17 *the heads of the covered agencies, shall make publicly avail-*
18 *able the key technology priority areas identified under sub-*
19 *section (c)(2) and invite covered entities to apply to test*
20 *and demonstrate their technologies to address those priority*
21 *areas.*

22 (g) *REPORTS AND RECOMMENDATIONS.*—*Not later*
23 *than 1 year after the date of enactment of this Act, and*
24 *each year thereafter for the duration of the Pilot Program,*
25 *the Secretaries shall submit to the appropriate committees*

1 *a report that includes the following with respect to the Pilot*
2 *Program:*

3 *(1) A list of participating covered entities.*

4 *(2) A brief description of the technologies tested*
5 *by such covered entities.*

6 *(3) An estimate of the cost of acquiring the tech-*
7 *nology tested in the Pilot Program and applying it*
8 *at scale.*

9 *(4) Outreach efforts by Federal agencies to cov-*
10 *ered entities developing wildfire technologies.*

11 *(5) Assessments of, and recommendations relat-*
12 *ing to, new technologies with potential adoption and*
13 *application at-scale in the wildfire prevention, detec-*
14 *tion, communication, and mitigation efforts of Fed-*
15 *eral land management agencies (as defined in section*
16 *802 of the Federal Lands Recreation Enhancement*
17 *Act (16 U.S.C. 6801)).*

18 *(h) TERMINATION.—The Pilot Program shall expire on*
19 *the date that is 7 years after the date of enactment of this*
20 *Act.*

21 **SEC. 403. REPEAL OF FLAME REPORTS.**

22 *Section 502 of the FLAME Act of 2009 (43 U.S.C.*
23 *1748a) is amended—*

24 *(1) by striking subsection (h); and*

- 1 (2) *by redesignating subsection (i) as subsection*
- 2 (h).

Calendar No. 592

118TH CONGRESS
2^D SESSION

S. 2867

A BILL

To address the forest health crisis on the National Forest System and public lands, and for other purposes.

NOVEMBER 21, 2024

Reported with an amendment